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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/634,434	08/08/2000	Randal Raymond Stark	24-NS-06020	4385

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EXAMINER

RHODE JR, ROBERT E

ART UNIT	PAPER NUMBER
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3625

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/634,434

Applicant(s)

STARK ET AL.

Examiner

Rob Rhode

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 5, 7 - 58 and 60 - 76 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 5, 7 - 58 and 60 - 76 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12-14-04 has been entered.

Response to Amendment

Applicant amendment of 12-14-04 amended claims 1, 7, 33 and 60 and cancelled claims 6, 59 and 77 – 85 as well as 103 - 105 and withdrew claims 86 – 102 and 106 – 120 from consideration. In addition, the applicant traversed rejections of Claims 1 – 85 and 103 - 105.

Currently, claims 1 – 5, 7 – 58 and 60 -76 are pending.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1 – 5, 7 - 21, 23 – 35, 37 – 58, 60 - 64, 66 – 72 and 74 – 76 are rejected under 35 U.S.C. 103(a) as being unpatentable over Spriggs (US 6,421,571 B1) in view of Maguire (US 5,331,579).

Regarding claim 1 and related claim 33, Spriggs teaches a method and system for managing internal components of nuclear reactor power plants using a network-based system including a server system coupled to a centralized interactive database and at least one client system, said method comprising the steps of – where Spriggs teaches receiving information relating to internal components of a specific plant (see at least Abstract, Col 1, lines 61 – 67 and Figures 1 – 4); storing the information into a centralized database (see at least Col1, lines 65 – 66 and Figures 1 – 3); updating the centralized database with information received (see at least Col 1, lines 61 – 67); cross-referencing the information received against the specific plant (see at least Col 1, lines 1 – 10 and Col 8, lines 43 – 44). and providing information in response to an inquiry (see at least Col 2, lines 56 – 64 and Figures 1 – 3). Please note that Spriggs does not specifically disclose nuclear plants. However, Spriggs does disclose plants. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have extended the method and system of Spriggs with nuclear plants.

While Spriggs does disclose monitoring plant assets to reduce maintenance cost and expedite problem resolution, the reference does not specifically disclose and teach a method of developing inspection recommendations for specific internal components

based on information received and information stored in a database; and determining cracking susceptibility for specific internal components based on information received and information stored in a database; developing contingency options for repair or mitigation of specific internal components; generating contingency outage schedules for contingency options.

On the other hand Maguire in the same area of managing plants, including nuclear plants, teaches a method of developing inspection recommendations for specific internal components based on information received and information stored in a database (see at least Abstract and Col 2, lines 61 – 67 and Col 3, lines 1 – 5); and determining cracking susceptibility for specific internal components based on information received and information stored in a database (see at least Abstract, Col 2, lines 3 – 8, 19 - 28 and 61 - 67 and Col 3, lines 20 – 44); developing contingency options for repair or mitigation of specific internal components (see at least Col 2, lines 63 – 67, Col 3, lines 1 – 5 and Col 7, lines 20 - 33); generating contingency outage schedules for contingency options (see at least Col 7, lines 30 – 33, Col 10, lines 59 – 67 and Col 11, lines 1 – 44). Please note that Maguire does not specifically disclose cracking. However, Maguire does disclose nuclear plants, which as with any type of plant would be concerned with cracking susceptibility of components. For example and it is well known to one of ordinary skill in the art that cracking of any component is of real concern for safety in any plant and particularly in a nuclear plant and has been disclosed in prior art. Moreover, Maguire discloses a feed water pump status (figure 13)

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as well as monitoring effects of aging (Col 2, lines 4 – 8). Feed water pumps in order to pump will include the pump as well as pipes in order to “feed” the water to the appropriate location. In that regard, cracking of the pump and/or the pipes would be of real concern especially in light of the concern for safety first and then cost. Thereby, Maguire would teach one of ordinary skill in the art that cracking of this component due to aging would be a major safety as well as cost and thereby would be monitored as well developing contingency options such as changing out the pump at the next scheduled maintenance. Therefore, it would have been obvious to one of ordinary skill in the art to have extended the method of Maguire with monitoring cracking of components due to aging. In this manner, the complete safety of the plant can be assured, which will reduce overall cost such as insurance as well meeting concerns of the public for safety as well as Federal regulations.

It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided the method and system of Spriggs with the method and system of Maguire to have enabled a method and system for managing internal components of nuclear reactor power plants using a network-based system including a server system coupled to a centralized interactive database and at least one client system, said method comprising the steps of – receiving information relating to internal components of a specific plant; storing the information into a centralized database; updating the centralized database with information received; cross-referencing the information received against the specific plant; developing inspection recommendations for specific

internal components based on information received and information stored in a database; determining cracking susceptibility for specific internal components based on information received and information stored in a database; ; developing contingency options for repair or mitigation of specific internal components; generating contingency outage schedules for contingency options; and providing information in response to an inquiry – in order to provide a robust method and system for plant monitoring, scheduling maintenance based on specific internal components needs and control. Spriggs discloses a method and system for managing internal components of nuclear reactor power plants using a network-based system including a server system coupled to a centralized interactive database and at least one client system, said method comprising the steps of receiving information relating to internal components of a specific plant; storing the information into a centralized database; updating the centralized database with information received; cross-referencing the information received against the specific plant; and providing information in response to an inquiry (see at least Abstract, Col 1, lines 61 – 67 and Figures 1 – 4). Maguire discloses a method and system in a plant for developing inspection recommendations for specific internal components based on information received and information stored in a database; and determining cracking susceptibility for specific internal components based on information received and information stored in a database; developing contingency options for repair or mitigation of specific internal components; generating contingency outage schedules for contingency options (see at least Abstract, Col 7, lines 30 – 33, Col 10, lines 59 – 67 and Col 11, lines 1 – 30). Therefore, one of ordinary

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skill in the art would have been motivated to extend the method and system of Spriggs with a method and system for developing inspection recommendations for specific internal components based on information received and information stored in a database; and determining cracking susceptibility for specific internal components based on information received and information stored in a database; developing contingency options for repair or mitigation of specific internal components; generating contingency outage schedules for contingency options. In this manner, the method and system provide a complete plant management and control system that will anticipate internal component problems before they happen, provide recommendations with contingency options and thereby reduce long term cost and ensure greater safety for these plants - as well as the community by anticipating and recommending options to reduce the risk of complete component failures.

Regarding claim 2 and related claims 43 and claim 3 and related claim 44 as well as claims 4, and related claim 45, a method and system wherein said step of "*receiving*" information further comprises the step of receiving data for at least one of a Dresden plant, a Dresden plant, a LaSalle 1 plant, a LaSalle 2 plant, a Quad Cities 1 plant, and a Quad Cities plant as well as nuclear reactor plants. Please note that in online methods and systems for interactive databases such specifics – as *receiving* information/data further comprises receiving data – "for at least one of a Dresden plant, a Dresden plant, a LaSalle 1 plant or nuclear reactor plants " and other non-functional descriptive material cited in these claims is given little patentable weight. The phrase(s) and or

word(s) are given little patentable weight because the claim language limitation is considered to be non-functional descriptive material, which does not patentably distinguish the applicant's invention from Spriggs. Moreover and as taught by Spriggs, interactive databases have been capable of these functions and have had these capabilities well before the applicant's invention. Thereby, the non-fictional descriptive material is directed only to the content of the data (i.e. Core Spray Internal piping, a Dresden plant, a Dresden plant, a LaSalle 1 plant and other variations in these claims - which is received data) and does not affect either the structure or method/process of Spriggs, which leaves the method and system unchanged.

Regarding claim 5 and related claim 46 as well as other claims regarding "*storing*" and specifically claims 8 – 19 and 47 – 58, 61 as well as 71, Spriggs teaches a method and system wherein said step of "*storing*" information further comprises the step of *storing* data (see at least Abstract, Col 2, lines 65 – 67, Col 3, lines 1- 5 and Figures 1 – 4) for at least one of a Core Spray Internal piping, a Core Spray Sparger, a Lower plenum, a Shroud, a Shroud support and Access Hole Cover, a Jet Pump Diffuser, a Jet Pump Riser and riser Brace, a Jet Pump Inlet Mixer, a Jet Pump Sensing Line, an LPCI, a Top Guide 4, and a Core Plate as well as a plurality of plants. Please note that in online methods and systems for interactive databases with specifics such as – "a method wherein said step of *storing* information further comprises the step of *storing* data for at least one of a Dresden 2 plant" and other non functional descriptive material cited (such as Dresden plant 2) in these claims is given little patentable weight. The phrase(s) and

or word(s) are given little patentable weight because the claim language limitation is considered to be non-functional descriptive material, which does not patentably distinguish the applicant's invention from Spriggs. Moreover and as taught by Spriggs, interactive databases are capable of these functions and have had these capabilities well before the applicant's invention. Thereby, the non-fictional descriptive material is directed only to the content of the data (i.e. Dresden 2 plant and other variations in these claims - which is stored data) and does not affect either the structure or method/process of Spriggs, which leaves the method and system unchanged.

Regarding claim 6 and related claim 59, Maguire teaches a method and system further comprising developing contingency options for repair or mitigation of specific internal components (Col 2, lines 19 – 28).

Regarding claim 7 and related claim 60, Maguire teaches a method and system further comprising selecting a specific repair or mitigation option for each specific internal component (Col 13, line 67 and Col 14, lines 1 – 5).

Regarding claim 20 and related claim 63, Maguire teaches a method and system for a repair schedule for the specific components that coincides with the scheduled reactor plant shutdowns (Col 7, lines 30 – 33).

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Regarding claim 21 and related claims 64 and 72, Spriggs does specifically disclose a method and system wherein said step of updating the centralized databases (see at least Figures 1 – 4) further comprises the steps of adding and deleting information and entering information on-line. Please note that Spriggs and Maguire disclose online methods and systems for interactive databases. However, Spriggs does not specifically disclose such specifics as – further comprises the steps of adding and deleting information and entering information online, which are old and well known to one of ordinary skill in the art at the time of the applicant's invention. It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided the method and system of Spriggs with the capability and steps to add and delete information on-line.

Regarding claim 23 and related claims 66 as well as claim 25 and related claim 68, Spriggs teaches a method and system wherein said step of providing training information in response to an inquiry comprises the steps of: downloading requested information from a server system; and displaying requested information on a client system in response to the inquiry (see at least Abstract and Figures 1 – 3).

Regarding claim 24 and related claim 67, Spriggs teaches a method and system wherein said step of providing information further comprises the step of printing (Col 28, lines 5 – 6)

Regarding claim 26 and related claim 69 as well as 27 and related claim 70, Spriggs teaches a method and system wherein said step of accepting an inquiry further comprises the steps of: displaying information on the client system (see at least Figures 1 and 7) identifying at least one of an option relating to a specific nuclear plant; and receiving an inquiry from the client system (see at least Figures 1 and 7) regarding at least one of an option relating to a the specific nuclear plant. Please note that the non-functional descriptive material such as nuclear reactor plant and other non-functional descriptive material cited in these claims is given little patentable weight. The phrase(s) and or word(s) are given little patentable weight because the claim language limitation is considered to be non-functional descriptive material, which does not patentably distinguish the applicant's invention from Spriggs. Moreover and as taught by Spriggs, interactive databases have been capable of these functions and have had these capabilities well before the applicant's invention. Thereby, the non-fictional descriptive material is directed only to the content of the data (i.e. nuclear reactor plants - which is stored data) and does not affect either the structure or method/process of Spriggs, which leaves the method and system unchanged.

Regarding claim 28 and related claim 74, Spriggs does not specifically disclose a method or system wherein said step of receiving an inquiry from the client system further includes the step of submitting a request through pull down menus. Please note that Spriggs does address the use of menus (see at least Figure 7). However, Spriggs does not specifically disclose the capability to provide pull down menus, which is old

and well known to one of ordinary skill in the art at the time of the invention. It therefore would have been obvious to provide the method and system of Spriggs with pull down menus in order to have provided the capability.

Regarding claim 29 and related claim 75, Spriggs teaches a method and system wherein said step of displaying information further includes the step of displaying an HTML document downloaded by the server system (Figure 7).

Regarding claim 30 and related claim 76, Spriggs teaches a method wherein said step of displaying further comprises the step of displaying at least one alternative from various alternatives available to the user (Figures 7 and 8).

Regarding claim 31, Spriggs teaches a method wherein said step of downloading the information in response to the inquiry further comprises the steps of: accessing the centralized database; searching the database regarding the specific inquiry; retrieving information from the database; and transmitting the retrieved information to the client system for display by the client system (see at least Abstract and Figures 1 – 3 and 7 – 8).

Regarding claim 32, Spriggs teaches a method wherein the client system and the server system are connected via a network and wherein the network is one of a wide area network, a local area network, an intranet and the Internet (Figure 2).

Regarding claim 34, Spriggs teaches a system wherein said client system is further configured with: a displaying component for displaying at least one of an option relating to a Core Spray Internal piping, a Core Spray Sparger, a Lower plenum, a Shroud, a Shroud support and Access Hole Cover, a Jet Pump Diffuser, a Jet Pump Riser and riser Brace, a Jet Pump Inlet Mixer, a Jet Pump Sensing Line, an LPCI, a Top Guide 4, and a Core Plate; and a sending component to send an inquiry to the server system so that the server system can process and download the requested information to the client system (Figures 1 – 3) and (35) wherein the sending component functions in response to a click of a mouse button (Col 8, lines 1 – 10) as well as (claim 37) wherein said system is further configured to be protected from access by unauthorized individuals (Col 27, lines 66 – 67) and (38) wherein said server system is further configured with - a collection component for collecting information from users into the centralized database; a tracking component for tracking information on an on-going basis; a displaying component for displaying information on at least one of an option relating to a Core Spray Internal piping, a Core Spray Sparger, a Lower plenum, a Shroud, a Shroud support and Access Hole Cover, a Jet Pump Diffuser, a Jet Pump Riser and riser Brace, a Jet Pump Inlet Mixer, a Jet Pump Sensing Line, an LPCI, a Top Guide 4, and a Core Plate; a receiving component for receiving an inquiry from the client system regarding at least one of an option relating to a Core Spray Internal piping, a Core Spray Sparger, a Lower plenum, a Shroud, a Shroud support and Access Hole Cover, a Jet Pump Diffuser, a Jet Pump Riser and riser Brace, a Jet Pump Inlet Mixer, a

Jet Pump Sensing Line, an LPCI, a Top Guide 4, and a Core Plate; and an accessing component for accessing the centralized database and causing the retrieved information to be displayed on the client system (see at least Abstract and Figures 1 – 4) and (39) wherein said server system further configured with a receiving component for receiving an inquiry to provide information from one of a plurality of users (Figure 1). Please note that the non-functional descriptive material such as Core Spray Internal piping and other non-functional descriptive material cited in these claims is given little patentable weight. The phrase(s) and or word(s) are given little patentable weight because the claim language limitation is considered to be non-functional descriptive material, which does not patentably distinguish the applicant's invention from Spriggs. Moreover and as taught by Spriggs, interactive databases have been capable of these functions and have had these capabilities well before the applicant's invention. Thereby, the non-fictional descriptive material is directed only to the content of the data (i.e. Core Spray Internal piping and other variations in these claims - which is data) and does not affect either the structure or method/process of Spriggs, which leaves the method and system unchanged.

Regarding claim 40, Spriggs teaches a system wherein said server system further configured with a processing component for searching and processing received inquiries against the data storage device containing a variety of information collected by the collection component (Abstract and Figures 1 – 3).

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Regarding claim 41, Spriggs teaches a system wherein said server system further configured with a retrieving component to retrieve information from the data storage device (Figures 1 – 3).

Regarding claim 42, Spriggs teaches a system wherein said server system further configured with an information fulfillment component that downloads the requested information after retrieving from the data storage device to the plurality of users in the order in which the requests were received by the receiving component (Figures 1 – 3).

Regarding claim 62, Spriggs teaches a system wherein said server system further configured to: track information on a real time basis; and store information on a real time basis by updating stored information by adding the new information to the centralized database on a real time basis to provide up-to date information instantaneously to the user upon a request (Abstract and Figures 1 – 4).

Claims 22, 36, 65 and 73 rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Spriggs and Maguire, as applied to claims 21, 34, 64 and 72 and further in view of Bodo (US 6,122,239).

The combination of Spriggs and Maguire substantially discloses and teaches the applicant's invention.

However, the combination does not specifically disclose and teach a method and system wherein the sending component functions in response to a voice command.

On the other hand and regarding claim 22 and related claims 36, 65 and 73, Bodo teaches a method and system wherein the sending component functions in response to a voice command (Col 16, lines 20 – 22).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided the combination of Spriggs and Maguire with the method and system of Bodo to have enabled wherein the sending component functions in response to a voice command – in order to provide ease of use by a plant technician. The combination of Spriggs and Maguire disclose a method and system for managing internal components of nuclear reactor power plants using a network-based system including a server system coupled to a centralized interactive database and at least one client system, said method comprising the steps of – receiving information relating to internal components of a specific plant; storing the information into a centralized database; updating the centralized database with information received; cross-referencing the information received against the specific plant; developing inspection recommendations for specific internal components based on information received and information stored in a database; determining cracking susceptibility for specific internal components based on information received and information stored in a database; ; developing contingency options for repair or mitigation of specific internal components; generating

contingency outage schedules for contingency options; and providing information in response to an inquiry. Bodo discloses a method and system for a method and system wherein the sending component functions in response to a voice command. Therefore, one of ordinary skill in the art would have been motivated to extend the combination of Spriggs and Maguire with a method system for a method and system wherein the sending component functions in response to a voice command. In this regard, it would allow the technician to work on a correcting problem, while communicating with appropriate individuals.

Response to Arguments

Applicant's arguments filed 12-14-04 have been fully considered but they are not persuasive.

Applicant argues that the references do not suggest or teach determining cracking susceptibility for specific internal components based on information received and information stored in the database.

Please see above rejection for response.

Applicant argues that there is no motivation to combine Spriggs and Maguire. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention

where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the problem to be solved is providing a method and system for monitoring of a plant's components by more effective means such as sensor systems and the recommending of contingency options in order to ensure timely maintenance and repair of components. First, both Spriggs and Maguire would have fairly suggested and taught one of ordinary skill that both references are in the same area of protecting and managing plant(s) assets through more effective information systems integration, monitoring and display (see Spriggs Col 1, lines 38 -40 and Col 2, lines 12 -39 and Maguire Col 1, lines 22 - 24) and recommendation of options and thereby enhance decision making (see Spriggs, Col 2, lines 28 - 32 and Maguire Col 2, lines 3 - 8 and 19 - 28). Moreover, these references would suggest and teach that improving operational effectiveness and reducing cost in plants through the more effective use of and integration of information systems for sharing of information/data and especially the software component is important (see Spriggs, Col 1, lines 54 - 66 and Maguire, Col 1, lines 10 - 12 and lines 63 - 66). In this manner, the method and system provide a complete plant management and control system that will anticipate internal component problems before they happen, and provide recommendations with contingency options and thereby reduce long term cost and ensure greater safety for these plants - as well as the community by anticipating and recommending options to reduce risk due to failure of components from

aging. With regard to complexity, these references would suggest and teach one of ordinary skill of the focus on reducing complexity. For example, Spriggs would suggest and teach that by reducing the number of information systems (a measure of complexity) through more effective hardware and software integration (Col 1, lines 36 – 47) and Maguire correspondingly would suggest and teach more effective software integration (Col 1, lines 26 – 39 and 60 – 66), which will enhance the overall plant management as well as reducing cost as well as reduce complexity of integration of information systems. Furthermore, the references would suggest and teach the reduction of complexity through a common database (see Spriggs, Col 1, line 66 and Maguire, Abstract). Therefore, one of ordinary skill in the art would have been motivated to extend the method and system Spriggs with a method and system for developing inspection recommendations for specific internal components based on information received and information stored in a database; and determining cracking susceptibility for specific internal components based on information received and information stored in a database; developing contingency options for repair or mitigation of specific internal components; generating contingency outage schedules for contingency options.

Of note, a “traverse” is a denial of an opposing party’s allegations of fact.¹ The Examiner respectfully submits that applicants’ arguments and comments do not appear to traverse what Examiner regards as knowledge that would have been generally available to one of ordinary skill in the art at the time the invention was made. Even if

¹ Definition of Traverse, Black’s Law Dictionary, “In common law pleading, a traverse signifies a denial.”

one were to interpret applicants' arguments and comments as constituting a traverse, applicants' arguments and comments do not appear to constitute an adequate traverse because applicant has not specifically pointed out the supposed errors in the examiner's action, which would include stating why the noticed fact is not considered to be common knowledge or well-known in the art. 27 CFR 1.104(d)(2), MPEP 707.07(a). An adequate traverse must contain adequate information or argument to create on its face a reasonable doubt regarding the circumstances justifying Examiner's notice of what is well known to one of ordinary skill in the art. In re Boon, 439 F.2d 724, 728, 169 USPQ 231, 234 (CCPA1971). If applicant does not seasonably traverse the well-known statement during examination, then the object of the well-known statement is taken to be admitted prior art. In re Chevenard, 139 F.2d 71, 60 USPQ 239 (CCPA 1943). MPEP 2144.03 Reliance on Common Knowledge in the Art or "Well Known" Prior Art. In view of applicant's failure to adequately traverse official notice, the following are admitted prior art:

O Regarding claims 21, 64 and 72, Spriggs does not specifically disclose such specifics as – further comprises the steps of adding and deleting information and entering information online, which are old and well known to one of ordinary skill in the art at the time of the applicant's invention. It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided the method and system of Spriggs with the capability and steps to add and delete information on-line.

O Regarding claims 28 and 74, Spriggs does not specifically disclose the capability to provide pull down menus, which is old and well known to one of ordinary skill in the art

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at the time of the invention. It therefore would have been obvious to provide the method and system of Spriggs with pull down menus in order to have provided the capability.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art are "Nuclear device could monitor cooling tube cracking" AP, Morning Call; Allentown, Pa; Jul 25, 1984 and "Nimo awaits OK on delay the NRC is considering whether the utility can put off a reinspection at one of its Nuclear Power Plants"; Mary Hill' The Post-Standard; Syracuse, N.Y.; Oct 30, 1998.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Rob Rhode** whose telephone number is **(703) 305-8230**. The examiner can normally be reached Monday thru Friday 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Wynn Coggins** can be reached on **(703) 308-1344**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Receptionist** whose telephone number is **(703) 308-1113**.

Any response to this action should be mailed to:

Commissioner for Patents

P.O. Box 1450

Alexandria, Va. 22313-1450

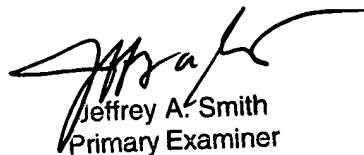
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Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal
Drive, Arlington, VA, 7th floor receptionist.

RER



Jeffrey A. Smith
Primary Examiner